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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/015,029  | 12/11/2001  | Bradd A. Kadlecik    | POU900142US1        | 6367             |
| 46369   | 7590        | 07/14/2005           | EXAMINER            |                  |
| HESLIN ROTHENBERG FARLEY & MESITI P.C.<br>5 COLUMBIA CIRCLE<br>ALBANY, NY 12203 |             |                      | ROMANO, JOHN J      |                  |
|   |             | ART UNIT             | PAPER NUMBER        |                  |
|   |             | 2192                 |                     |                  |

DATE MAILED: 07/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                        |                     |  |
|------------------------------|------------------------|---------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b> | <b>Applicant(s)</b> |  |
|                              | 10/015,029             | KADLECIK ET AL.     |  |
|                              | <b>Examiner</b>        | <b>Art Unit</b>     |  |
|                              | John J. Romano         | 2192                |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 18 April 2005.
- 2a) This action is FINAL.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-38 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 11 December 2001 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All
  - b) Some \*
  - c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

|   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                    | Paper No(s)/Mail Date: _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date: _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Remarks*

1. Applicants' amendment dated 04/18/2005, responding to the February 10th, 2005 Office action provided in the rejection of claims 1-38, wherein claims 1, 3, 4, 9, 11, 13, 15, 16, 21, 23, 25-27, 29, 30, 35 and 37 have been amended. Claims 1-38 remain pending in the application and which have been fully considered by the examiner.

Applicant's arguments with respect to claims rejection have been considered but are moot in view of the new grounds of rejection.

Thus, the rejection of the claims over prior art in the previous Office action is maintained in light of additional new grounds of rejection as necessitated by amendment and **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Davidson et al., US 6,042,614 (hereinafter **Davidson**) in view of Li et al., Us. 2003/0056200 A1 (hereinafter **Li**).

3. In regard to claim 1, **Davidson** discloses:

- “*A method of facilitating debugging of transactions, said method comprising...*” (E.g., see Figure 14 & Column 5, lines 45-51), wherein the transaction comprises the requested object.
- “*...executing a transaction on one processor of a plurality of processors, said transaction having debug information...*” (E.g., see Figure 6 and 7 & Column 8, lines 58-65), wherein.
- “*...requesting, by said transaction, a service on another processor of said plurality of processors ...*” (E.g., see Figure 8 & Column 9, lines 6-11), wherein a DOE environment server, comprising another processor of said plurality of processors, services requests from a client executing a transaction.

- "...wherein a path of the transaction is not predefined to a controller of the debugging." (E.g., see Figure 14 & Column 11, lines 52-57), wherein the dbx-engine comprises the said debug information and is attached or follows the transaction on the another processor wherein a path of the transaction is not predefined.

But **Davidson** does not expressly disclose "...attached to the transaction..." or "...wherein said attached debug information is passed with the transaction from the one processor to the another processor eliminating a need for attaching the debug information at the another processor ...". However, **Li** discloses:

- "...executing a transaction on one processor of a plurality of processors, said transaction having debug information attached to the transaction..." (E.g., see Figure 2 & Page 2, Paragraph [0013]), wherein the debug information is attached to the transaction.
- "...wherein said attached debug information is passed with the transaction from the one processor to the another processor eliminating a need for attaching the debug information at the another processor, and wherein a path of the transaction is not predefined to a controller of the debugging." (E.g., see Figure 2 & Page 2, Paragraph [0013]), wherein the debug information is attached to the transaction, by being embedded in the code.

**Davidson** and **Li** are analogous art because they are both concerned with the same field of endeavor, namely, a distributed debugger. Therefore, at the time the

invention was made, it would have been obvious to a person of ordinary skill in the art to use **Li's** attachment to the transaction with **Davidson's** method of distributed debugging. The motivation to do so would have been to achieve distributed debugging in a seamless, low-overhead, unencumbered manner as taught by Davidson, Specification, Column 3, lines 25-31. Therefore, it would have been obvious to include an unencumbering process with the transaction in order to have a more seamless operation with less overhead as compared to a backend debugger and backend registration.

4. In regard to claim 2, the rejection of base claim 1 is incorporated. Furthermore,

**Davidson discloses:**

- “*...attaching said debug information to said transaction being executed on said one processor.*” (E.g., see Figure 14 & Column 12, lines 16-24), wherein the debug information is attached.

5. In regard to claim 3, the rejection of base claim 1 is incorporated. Furthermore,

**Davidson discloses:**

- “*...providing, by the controller to the one processor, at least a part of the debug information, and said debug information is provided to the another processor independent of said controller.*” (E.g., see Figure 10 & Column 14, lines 50-64), wherein a found server host tells the local host that a dbx-engine is non-existent and thus implements a request independent of said controller.

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6. In regard to claim 4, the rejections of base claim 1 are incorporated.

Furthermore, **Davidson** discloses:

- “*...including the debug information in a communications session established with said another processor.*” (E.g., see Figure 9 & Column 10, lines 1 and 2), wherein communications capability is disclosed for a communication session.

7. In regard to claim 5, the rejections of base claim 1 are incorporated.

Furthermore, **Davidson** discloses:

- “*...information relating to said transaction.*” (E.g., see Figure 14 & Column 12, lines 40-50), wherein the request id (line 40), is included.

8. In regard to claim 6, the rejections of base claim 1 are incorporated.

Furthermore, **Davidson** discloses:

- “*...an identifier of the controller of the debugging.*” (E.g., see Figure 14 & Column 12, lines 40-50), wherein the client inter-process address (line 41) is included.

9. In regard to claim 7, the rejections of base claim 1 are incorporated.

Furthermore, **Davidson** discloses:

- “*...a client workstation coupled to said one processor and said another processor.*” (E.g., see Figure 2 & Column 7, lines 43-47), wherein a client workstation would be the workstation initiating the client application.

10. In regard to claim 8, the rejections of base claim 1 are incorporated.

Furthermore, **Davidson** discloses:

- “*...executing an application on said another processor.*” (E.g., see Figure 7 & Column 38, lines 58-65), wherein an operation or application may be executed on another processor.

11. In regard to claim 9, **Davidson** discloses:

- “*A method of facilitating debugging of transactions, said method comprising...*” (E.g., see Figure 14 & Column 5, lines 45-51), wherein the transaction comprises the requested object.
- “*...using a client workstation to enter debug information on a processor where a transaction is to be started, the debug information being associated with tracing the transaction ...*” (E.g., see Figure 5 & Column 8, lines 9-36), wherein the debugger may be employed on a client workstation as shown in Figure 3. Further, debug information or commands may be entered via the GUI where the transaction is initiated and tracing is associated with the debug information (line 16).
- “*...attaching at least a portion of the debug information to the transaction being executed on the processor ...*” (E.g., see Figure 14 & Column 11, lines 52-57), wherein the dbx-engine comprises the said debug information and is attached or follows the transaction on the another processor wherein a path of the transaction is not predefined.

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- "...requesting, by the transaction, a service on another processor..."  
(E.g., see Figure 8 & Column 9, lines 6-11), wherein a DOE environment a server, comprising another processor of said plurality of processors, services requests from a client executing a transaction.
- "...wherein tracing of the transaction can continue on the another processor." (E.g., see Figure 9 & Column 10, lines 3 and 4) wherein the dbx-engine comprises continuing debugging including tracing on the another processor.

But **Davidson** does not expressly disclose "...passing with the transaction the attached debug information from the processor to the another processor eliminating a need for attaching the debug information at the another processor...". However, \*\*\* discloses:

- "...passing with the transaction the attached debug information from the processor to the another processor eliminating a need for attaching the debug information at the another processor..." (E.g., see Figure 2 & Page 2, Paragraph [0013]), wherein the debug information is attached to the transaction, by being embedded in the code thereby eliminating a need for attaching the debug information to the another processor.

Therefore, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use **Li's** attachment to the transaction with **Davidson's** method of distributed debugging. The motivation to do so would have been

to achieve distributed debugging in a seamless, low-overhead, unencumbered manner as taught by Davidson, Specification, Column 3, lines 25-31. Therefore, it would have been obvious to include an unencumbering process with the transaction in order to have a more seamless operation with less overhead as compared to a backend debugger and backend registration.

12. In regard to claim 10, the rejections of base claim 9 are incorporated. But Davidson does not expressly disclose “*...without performing a debug registration process between the client workstation and the another processor.*” However, \*\*\* discloses:

- “*...without performing a debug registration process between the client workstation and the another processor.*” (E.g., see Figure 2 & Page 2, Paragraph [0013]), wherein the debug information is attached to the transaction, by being embedded in the code thereby eliminating a need for attaching the a debug registration process between the client workstation and the another processor.

Therefore, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use Li’s attachment to the transaction with Davidson’s method of distributed debugging. The motivation to do so would have been to achieve distributed debugging in a seamless, low-overhead, unencumbered manner as taught by Davidson, Specification, Column 3, lines 25-31. Therefore, it would have been obvious to include an unencumbering process with the transaction in order to have

a more seamless operation with less overhead as compared to a backend debugger and backend registration.

13. In regard to claim 11, the rejections of base claim 9 are incorporated.

Furthermore, **Davidson** discloses:

- “*...without having the client workstation provide the at least a portion of the debug information to the another processor.*” (E.g., see Figure 5 & Column 8, lines 9-36), wherein the only information included in the transaction is what is necessary to return the information to the client workstation where the debugging is actually taking place.

14. In regard to claim 12, the rejections of base claim 9 are incorporated.

Furthermore, **Davidson** discloses:

- “*...without predefining to the client workstation the path taken by the transaction.*” (E.g., see Figure 2 & Column 8, lines 58-65), wherein the client does not know which server will be used for the execution of a call.

15. As per claims 13-24, this is a system version of the claimed method discussed above, in claims 1-12, wherein all claimed limitations have also been addressed and/or cited as set forth above. For example, see **Davidson's** system for a distributed debugging environment (Figure 2 & Column 16, lines 15-18).

16. As per claim 25, this is a system version of the claimed method discussed above, in claim 1, wherein all claimed limitations have also been addressed and/or cited as set

forth above. For example, see **Davidson's** system for a distributed debugging environment (Figure 2 & Column 16, lines 15-18).

17. As per claim 26, the rejections of claim 9 are incorporated. Furthermore, **Davidson** discloses:

- "...a communications protocol..." (E.g., see Figure 5 & Column 8, lines 16-20), wherein a communications protocol is included.

18. As per claims 27-38, this is a program storage device version of the claimed method discussed above, in claims 1-12, wherein all claimed limitations have also been addressed and/or cited as set forth above. For example, see **Davidson** (Figure 1 & Column 7, lines 35-43), wherein, a CD-ROM medium, which typically contains programs and data is taught.

### ***Conclusion***

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John J Romano whose telephone number is (571) 272-3872. The examiner can normally be reached on 8-5:30, M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q Dam can be reached on (571) 272-3695. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

The facsimile number for the organization where this application or proceeding is assigned to the Central Facsimile (FAX), **793-872-9306**. On July 15, 2005, the Central Facsimile Number will change from **703-872-9306** to **571-273-8300**. Faxes sent to the

old number will be routed to the new number until September 15, 2005. After September 15, 2005, the old number will no longer be in service and 571-273-8300 will be the only facsimile number recognized for "centralized delivery".

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JJR

*Ted Vo*  
TED T. VO  
*Primary Examiner*